

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Jason Quaife, individually and on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00176-PDW-ARS

John Hoffer, individually and on behalf of himself
and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00177-PDW-ARS

Amanda Koffler, individually and on behalf of
herself and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00183-PDW-ARS

Alec R. Kiesow, individually and on behalf of
himself and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00184-ARS

[PROPOSED] ORDER GRANTING MOTION TO CONSOLIDATE

THIS MATTER comes before the Court on an Unopposed Joint Motion to Consolidate filed by the Plaintiffs on October 16, 2023, in *Quaife v. Brady Martz & Associates, P.C.*, Case No. 3:23-cv-00176-PDW-ARS [Doc. No. ____]. All Plaintiffs' counsel in the above-captioned cases before this Court jointly filed the Unopposed Joint Motion to Consolidate.

Having considered the record in each of the above-captioned cases, the Court concludes that each case has a common question of law or fact and consolidation will avoid unnecessary delay. *See Fed. R. Civ. P. 42(a)* (the court has discretion to consolidate cases when they “involve common questions of law or fact”); *see also E.E.O.C. v. HBE Corp.*, 135 F.3d 643, 550 (8th Cir. 1998) (claims involving common question of law or fact may be consolidated “to avoid unnecessary cost or delay”). Based on all the filings, records, and the Court being fully advised, the Court **GRANTS** the Plaintiffs' Unopposed Joint Motion to Consolidate Cases and

ORDERS:

1. Each of the above-captioned cases shall be CONSOLIDATED;
2. An operative Consolidated Complaint shall be filed within sixty (60) days of the date of this Order. Defendant shall have thirty (30) days from the date on which Plaintiffs file the Consolidated Complaint to file a response thereto. In the event that Defendant's response is a motion to dismiss, Plaintiffs shall have thirty (30) days to file their opposition brief, and Defendant shall have twenty-one (21) days to file a reply brief;
3. All future filings in the above-captioned consolidated actions shall be consolidated into the first filed lead case, No. 3:23-cv-00176-PDW-ARS and captioned as:

In re Brady Martz Data Security Litigation

4. All future filings shall only be filed in the lead case (No. 3:23-cv-00176-PDW-ARS) and the other related cases administratively closed.

5. The Court shall enter a scheduling order for further pretrial proceedings as soon as is reasonably practicable.

6. All future related actions concerning the common questions of law or fact filed in, or transferred to, or removed to this Court shall be consolidated with these actions.

7. All papers previously filed and served to date in the Related Actions are deemed part of the record in the Consolidated Action.

IT IS SO ORDERED.

Dated: October ___, 2023.

Peter D. Welte, District Judge
United States District Judge